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FM AMEMBASSY LJUBLJANA
TO RUEHC/SECSTATE WASHDC 6804
INFO RUEAWJA/DEPT OF JUSTICE WASHDC
RUEHPG/AMEMBASSY PRAGUE 0474

UNCLAS LJUBLJANA 000330

C O R R E C T E D C O P Y (ADD SENSITIVE CAPTION)

SENSITIVE

SIPDIS

E.O. 12958: N/A

TAGS: [PGOV](#) [PREL](#) [PHUM](#) [ASEC](#) [SI](#)

SUBJECT: SLOVENIA ADOPTS STRICTER LAW PROTECTING SEXUAL RIGHTS OF MINORS

¶1. (SBU) Summary. On November 1, 2008, Slovenia will implement a new law regarding sexual crimes against minors. This new penal code establishes harsher sentences and new regulations. The most significant changes include a lifetime registry for offenders, the criminalization of possessing child pornography, and stricter sentences for pedophiles and others who committed sexual crimes against minors. The Slovene advocacy group, Association Against Sexual Abuse, applauded the changes but said more needs to be done. End Summary.

BACKGROUND

¶2. (U) The existing child pornography legislation, which was established in 1999, criminalizes the distribution and production of child pornography but by omission does not criminalize possession. Under the new law, sexual assault on a minor would result in six months to five years in prison and the penalty for producing or distributing pornographic material would be a fine or one year in prison.

¶3. (U) Currently, Slovenia and the Czech Republic are the only two EU member states that do not penalize the possession of child pornography. Both countries are working to better align themselves with the EU common position on pornography. Once Slovenia introduces these changes, its penal code will be fully harmonized with EU legislation.

NEW PENAL CODE - BROADER AND STRICTER

¶4. (SBU) The changes mean harsher, longer jail sentences for distributors, consumers and possessors of child pornography in Slovenia, as well as for convicted pedophiles. Sexual assault on a minor now results in a sentence of three to eight years in prison. In addition, producing, distributing or possessing pornographic material results in a fine and up to two years imprisonment. A significant change is that criminals whose crimes dealt with the sexual violation or exploitation of minors will be listed in a national, lifetime registry. Only qualified institutions and associations working with minors, such as schools or daycare centers, will have access to data from the registry.

SLOVENE NGO - GOOD START BUT MORE NEEDS TO BE DONE

¶5. (SBU) On July 23, Emboff met with Katja Basic, the founder and head of the Association Against Sexual Abuse, a Slovene advocacy group for the sexual rights of children. Basic related that she was very pleased that the new penal code further protects the sexual rights of children, and especially highlighted the importance of the lifetime registry as a useful tool in protecting the child within institutions. Basic expressed that though Slovenia still needs to work on a more local level with police on creating awareness of the

sexual rights of children, the new penal code is certainly a step in the right direction in meeting the needs of children.

¶6. (SBU) Comment. Post has been urging Slovene legislators to criminalize possession of child pornography. We are gratified that Slovenia has taken this step. End Comment.

GHAFARI